

REMARKS

Applicants submit this Reply and Amendment for consideration after entry of the RCE. The RCE and this Amendment are in reply to the Advisory Action dated June 09, 2010 and the Final Office Action dated April 29, 2010.

Upon receipt of the Final Office Action, claims 1-4 were pending in the application and the Examiner rejects claims 1-4. In the reply to the Final Office Action, Applicants added new claims 5-15. Applicants cancelled claim 5 and added the limitations of claim 5 as amendments to independent claim 1. In this reply, Applicants add new claims 16 and 17. Support for the amendments and new claims may be found in the originally-filed specification. No new matter is entered with these amendments or new claims. Reconsideration of this application is respectfully requested.

Rejections under 35 U.S.C § 103

In the Final Office action dated April 29, 2010, The Examiner rejects claims 1-4 under 35 U.S.C. § 103(a) as being unpatentable over MacFarlane et al., U.S. Patent No. 6,125,354 ("MacFarlane"), in view of Peterson et al., U.S. Patent No. 7,020,628 ("Peterson"). Applicants respectfully disagree with these rejections, but Applicants present claim amendments and new claims in order to clarify the patentable aspects of the claims and to expedite prosecution.

MacFarlane generally teaches a "method and a system for automatically adjusting charges billed to an organization by a service provider, so as to create an invoice of rebill charges," (abstract). Specifically, MacFarlane discloses "Therefore, an important advantage of the present invention is that it allows an organization to generate an invoice for at least a portion of the billed charges incurred by the organization during a given period of time, and to distribute this invoice to an element of the organization. Another important advantage of the present invention is that it allows an organization to automatically allocate billed charges to the elements of the organization and to adjust the allocated charges on a charge by charge and element by element basis," (col. 2, lines 58-67, emphasis added). In contrast to "allocating, by the computer based system, the billing information by associating each of the unique hardware processing job identifiers to a group in the plurality of groups based on the hardware processing task information," as recited by independent claim 1 (emphasis added) and as similarly recited by independent claims 6 and 11. MacFarlane also discloses "The present invention contemplates a method and system for rebilling charges to individual elements of an organization. For example, when a service provider presents a business

organization with a single bill for services, the present invention enables the organization to automatically allocate and distribute the charges to the appropriate elements, i.e. divisions, branches, departments, etc.” (col. 3, lines 19-26, emphasis added). Stated another way, the system of MacFarlane assigns a code to the user which indicates a hierarchal level to assign a charge, but the system of MacFarlane does not assign a unique hardware processing job identifier to indicate the job based on the hardware processing task information. This is of particular importance in, for instance, assessing specific technology operational costs in the various groups, as disclosed in at least paragraph [0023] of the instant application.

Peterson generally teaches “a system and a method for monitoring remote computer access and associated costs,” (abstract). However, Peterson, similar to MacFarlane above, is silent to and thus does not disclose or contemplate “allocating, by the computer based system, the billing information by associating each of the unique hardware processing job identifiers to a group in the plurality of groups based on the hardware processing task information,” as recited by independent claim 1 (emphasis added) and as similarly recited by independent claims 6 and 11.

Thus, the cited references, alone or in combination do not disclose or contemplate at least “allocating, by the computer based system, the billing information by associating each of the unique hardware processing job identifiers to a group in the plurality of groups based on the hardware processing task information,” as recited by independent claim 1 (emphasis added) and as similarly recited by independent claims 6 and 11.

For at least these reasons and the reasons advanced in the Reply dated April 29, 2010, Applicants submit that independent claims 1 and 10 are allowable over the cited references.

New dependent claims 16 and 17 depend from independent claim 1. Therefore, Applicants assert that dependent claims 16 and 17 are patentable for at least the same reasons stated above for differentiating independent claims 1, 6 and 11, as well as in view of its own respective features. As such, Applicants respectfully request favorable consideration as to dependent claims 16 and 17.

When a phrase similar to “at least one of A, B, or C” or “at least one of A, B, and C” is used in the claims or specification, Applicants intend the phrase to mean any of the following: (1) at least one of A; (2) at least one of B; (3) at least one of C; (4) at least one of A and at least one of B; (5) at least one of B and at least one of C; (6) at least one of A and at least one of C; or (7) at least one of A, at least one of B, and at least one of C.

Applicants respectfully submit that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**. Applicants invite the Examiner to telephone the undersigned, if the Examiner has any questions regarding this Reply or the present application in general.

Respectfully submitted,

Dated: _____

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By: _____



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